

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

February 23, 2005  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Vice Mayor Claudia Walters for Mayor Keno Hawker, Mesa, Chair	Mayor James M. Cavanaugh, Goodyear
* Mayor Woody Thomas, Litchfield Park, Vice Chair	Mayor Vinicio Alvarez, Guadalupe
# Councilmember Dave Waldron for Mayor Douglas Coleman, Apache Junction	Supervisor Don Stapley, Maricopa County
Mayor Ron Drake, Avondale	Mayor Ron Clarke, Paradise Valley
* Mayor Dusty Hull, Buckeye	Vice Mayor Pat Dennis for Mayor John Keegan, Peoria
* Mayor Edward Morgan, Carefree	* Mayor Phil Gordon, Phoenix
* Vice Mayor Ralph Mozilo, Cave Creek	Mayor Wendy Feldman-Kerr, Queen Creek
Mayor Boyd Dunn, Chandler	* President Joni Ramos, Salt River
Mayor Fred Waterman, El Mirage	Pima-Maricopa Indian Community
President Raphael Bear, Fort McDowell Yavapai Nation	Mayor Mary Manross, Scottsdale
Mayor Wally Nichols, Fountain Hills	Mayor Joan Shafer, Surprise
+ Mayor Chris Riggs, Gila Bend	# Mayor Hugh Hallman, Tempe
* Governor Richard Narcia, Gila River Indian Community	* Mayor Adolfo Gamez, Tolleson
Mayor Steven Berman, Gilbert	Mayor Ron Badowski, Wickenburg
Mayor Elaine Scruggs, Glendale	* Mayor Bryan Hackbarth, Youngtown
	Rusty Gant, ADOT
	Joe Lane, ADOT
	F. Rockne Arnett, Citizens Transportation Oversight Committee

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference call.

**1. Call to Order**

The meeting of the Regional Council was called to order by Regional Council Acting Chair Mary Manross at 5:05 p.m.

The Pledge of Allegiance was recited.

Acting Chair Manross stated that the RPTA has provided transit tickets for those who used transit to come to the meeting and garage parking validation was available from staff. She announced proxies for

the meeting: Vice Mayor Claudia Walters for Mayor Keno Hawker, and Vice Mayor Pat Dennis for Mayor John Keegan, Peoria. She stated that Mayor Chris Riggs was participating by videoconference and that Mayor Hugh Hallman and Councilmember Dave Waldron, as proxy for Mayor Douglas Coleman, were participating via teleconference call. Acting Chair Manross welcomed back Supervisor Don Stapley to the Regional Council as the representative for Maricopa County. She noted that material for agenda items #8 and #12 were at each place.

3. Call to the Audience

Acting Chair Manross noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out public comment cards. The opportunity for public comment is provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Acting Chair Manross recognized public comment from Dianne Barker, who reported that she was on a Valley Metro bus when the driver put off a student who was using bad language. She said that someone taking charge was positive for improving the community. Acting Chair Manross thanked Ms. Barker for her comments.

Acting Chair Manross recognized public comment from Blue Crowley, who expressed a welcome to the newest MAG member agency, the Fort McDowell Yavapai Nation. He commented that there are still two tribes who are not members. Mr. Crowley commented that each of the six consent agenda item deserves three minutes of comment. Mr. Crowley commented on agenda item #8. He applauded the efforts of Mayor Manross and Phoenix Councilmember Peggy Bilsten to curb domestic violence. Mr. Crowley commented on agenda item #9. He expressed his concerns on how wastewater will be handled in the future. With the anticipated population growth in the desert west of the Valley, there will be a lot of wastewater. Mr. Crowley stated that he wanted to ensure that there is a plan to dispose of wastewater correctly so as not to endanger our drinking water. Mr. Crowley commented on agenda item #11. He said he would like to be counted in the 2005 Census Survey. Mr. Crowley commented on agenda item #12. He said that he had a problem with a citizens committee having legislative review. Mr. Crowley indicated that he was not allowed to comment when the CTOC structure was being discussed at an open meeting. Acting Chair Manross thanked Mr. Crowley for his comments.

4. Executive Director's Report

Dennis Smith reported on Transportation Reauthorization. He said that Senate leaders announced they would move forward with a bill paralleling the Administration's \$284 billion guaranteed funding level. Mr. Smith stated that a tentative compromise on donor/donee funding was reached. He stated that the agreement could raise the minimum guaranteed rate-of-return to 92 percent from 90.5 percent.

Mr. Smith reported that the terms of the business representatives on the Transportation Policy Committee were drawn on February 16, 2005. He stated that Dave Berry from Swift Transportation, and Eneas Kane from DMB Associates will serve two-year terms; Kirk Adams from The Adams Agency and Jed Billings from FNF Construction will serve four-year terms; and Stephen Beard from SR Beard and Associates and David Scholl from Westcor will serve six-year terms. Mr. Smith added that according to the State law, the Chair of the Regional Council will forward these terms to the President of the Senate and to the Speaker of the House.

Mr. Smith stated that the Regional Council Retreat will be held in conjunction with the regular monthly Regional Council meeting on March 23, 2005. He said that the meeting will begin at 4:00 p.m. with the retreat immediately following. Mr. Smith noted that the retreat discussion will focus on the major work activities for FY 2006, including the implementation and the roles and responsibilities of the Regional Transportation Plan, and other major work activities.

Mr. Smith reported that a forum, *Engaging Older Adults in Society*, will be held on February 25, 2005 from 8:00 a.m. to 12:00 noon at the Pulliam Auditorium, Burton Barr Central Library in Phoenix. He said that the forum, one of four sites nationwide, is an official 2005 White House Conference on Aging Event. Mr. Smith stated that the event is sponsored by Civic Ventures, the Virginia G. Piper Charitable Trust and the Phoenix Public Library. He added that MAG member agencies will be receiving e-mail invitations to the event.

Mr. Smith introduced new MAG staff: Tina Pereira is the Graphics Web Specialist in the Communications Division; Baloka Belezamo is a System Modeling Engineer in the Transportation Division; and Ieesuck Jung is an Air Quality Modeler in the Environmental Services Division. Acting Chair Manross thanked Mr. Smith for his report. No questions from the Council were noted.

## 5. Approval of Consent Agenda

Acting Chair Manross stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. She stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J were on the consent agenda.

Acting Chair Manross recognized public comment from Mr. Crowley, who expressed support for the work being done on wastewater. Acting Chair Manross thanked Mr. Crowley for his comments.

Acting Chair Manross recognized public comment from Ms. Barker, who expressed support for agenda item #5F. She said that PM-10 should be included in the formula for CMAQ funds. Ms. Barker stated that she had never seen a listing of projects with their emission reductions scores. Ms. Barker stated that she felt it would be helpful to see this for concluding which transportation projects should receive funding. Acting Chair Manross thanked Ms. Barker for her comments.

Acting Chair Manross asked the Council if there were any questions on consent agenda items. Vice Mayor Dennis commented on agenda item #5J. She said that with the federal proposal to cut CDBG

funds, she expressed her concern with the Social Services Block Grant coming through the same process and how that might affect cities and the county.

Mayor Drake moved to approve consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J. Mayor Clarke seconded, and the motion carried, with Mayor Waterman abstaining.

5A. Approval of the January 26, 2005 Meeting Minutes

The Management Committee, by consent, approved the January 26, 2005 meeting minutes.

5B. Red Letter Notification

In June 1996, the Regional Council approved the ADOT Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications for the last six months of 2004. Upon request any of the notices can be removed from the consent agenda and returned for action at a future meeting. ADOT received in the last six months of 2004 a total of 315 Red Letter notifications, of which 108 could potentially impact the Regional Freeway System. ADOT requested plan review on an additional 71 notices that include zoning changes and/or general plan amendments that would put future developments adjacent or very close to ADOT right of way. ADOT requested copies of a complete set of plans on an additional 55 notices. Nineteen telephone calls, mail or email notifications of potential impact were received by ADOT. One letter was received from a consultant on concerning a transmission line for which ADOT indicated that a permit to enter, cross or access ADOT right of way was needed. Of the 108 notices received in the first half of 2004 for development in or potentially in freeway right of way, eight were from the City of Avondale, one from the Town of Buckeye, four from the City of Chandler, one from the Town of El Mirage, seven from the Town of Gilbert, one from the City of Glendale, one from the City of Goodyear, nine from Maricopa County, thirteen from the City of Peoria, seventeen from the City of Phoenix, seven from the City of Mesa, one from the City of Scottsdale, five from the City of Surprise, three from the City of Tempe. This item was on the agenda for information and discussion.

5C. Federal Functional Classification of Roadways in the MAG Region

The Regional Council, by consent, concurred with the changes in Federal Functional Classification as shown in the attached map. The Federal Highway Administration (FHWA), working with States and Metropolitan Planning Organizations, keeps a functional classification database for all publicly owned roadways in the nation. The classes and numbers of miles involved are used in calculating how many transportation federal funds, and which type, are distributed as part of federal legislation. In addition, roads need to be federally functionally classified in order to qualify for using many of the transportation federal funds available within the region. MAG has been requested to assist with the updating of the Federal Functional Classification of Roadways in the region. Member agencies are responsible for requesting changes, but the region is asked to provide concurrence with any such requests prior to final action by FHWA and ADOT. MAG has received a series of requests from agencies for upgrading the classification of roadways within our region. Working with member agencies and the MAG Street Committee, and relying on federally recommended percentages, MAG has developed a map showing

all of the recommended changes to the regional network of roads. At their meetings on November 9, 2004 and January 11, 2005, the MAG Street Committee recommended concurrence with these changes. At their January 27, 2005 meeting, the Transportation Review Committee (TRC) unanimously recommended concurrence with the changes identified. At the February 9, 2005 Management Committee meeting, the ADOT representative abstained from the vote because ADOT is in the process of reviewing the reclassifications.

5D. Appointment to the MAG Transportation Policy Committee

The Regional Council, by consent, approved the appointment of Supervisor Max W. Wilson as a member of the MAG Transportation Policy Committee. At the April 24, 2002 Regional Council meeting, the composition of the Transportation Policy Committee (TPC) was approved. The composition allows for one member of the Maricopa County Board of Supervisors as a member of the TPC. Maricopa County has requested that Supervisor Max W. Wilson, Chair of the Board of Supervisors, be appointed to the TPC.

5E. Conformity Consultation

MAG is conducting consultation on a conformity assessment for an amendment to the FY 2004-2007 MAG Transportation Improvement Program. The proposed amendment includes seven new Arizona Department of Transportation design, right-of-way acquisition, and maintenance projects, and a City of Peoria transportation Enhancement funded project for addition to FY 2005. The amendment includes projects that may be categorized as exempt from conformity determinations. This item was on the agenda for consultation.

5F. Ratification of the Approval of the TEA-21 Reauthorization Resolution

The Regional Council, by consent, ratified the Executive Committee approval of the TEA-21 Reauthorization resolution. At the February 2003 Regional Council meeting, a resolution regarding the guiding principles for reauthorization was approved. This resolution was submitted to the United States Department of Transportation to be used in efforts from this region to advocate for the reauthorization of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). With reauthorization being addressed within the next few months, the resolution needed to be resubmitted. On February 14, 2005, the Executive Committee approved an updated resolution that includes new language requesting that the particulate pollutant known as PM-10 be added to the CMAQ allocation formula.

5G. MAG 208 Water Quality Management Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction

The Regional Council, by consent, approved the MAG 208 Water Quality Management Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction. The City of Glendale is requesting that MAG amend the 208 Water Quality Management Plan to include the definition of an area within the Glendale Municipal Planning Area where temporary sewer service will be provided by the City of Surprise, and to correct the 208 Plan by deleting a future Arizona American Water Company Water Reclamation Plant with an ultimate

capacity of eight million gallons per day and sewer service area within the western portion of the Glendale Municipal Planning Area. The two amendment items are within three miles of the Town of Buckeye, City of Goodyear, City of Litchfield Park, Luke Air Force Base, City of Surprise, and unincorporated Maricopa County, and all have indicated that they do not object to the proposed amendment. The MAG Water Quality Advisory Committee and the Management Committee recommended approval of the Draft 208 Plan Amendment.

5H. MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Palo Verde Road Wastewater Treatment Facility

The Regional Council, by consent, approved the MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Palo Verde Road Wastewater Treatment Facility. The Town of Buckeye is requesting that MAG amend the 208 Water Quality Management Plan to include the Palo Verde Road Wastewater Treatment Facility. The Maricopa County unincorporated area is within three miles of the project, and the County has indicated they do not object to the proposed facility. The MAG Water Quality Advisory Committee and the Management Committee recommended approval of the Draft 208 Plan Amendment.

5I. MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility

The Regional Council, by consent, approved the MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility. The City of Surprise is requesting that MAG amend the 208 Water Quality Management Plan to include the Special Planning Area Three Regional Wastewater Treatment Facility. The Maricopa County unincorporated area is within three miles of the project, and the County has indicated they do not object to the proposed facility. The MAG Water Quality Advisory Committee and the Management Committee recommended approval of the Draft 208 Plan Amendment.

5J. Social Services Block Grant Funding Recommendations FY 2005-2006

The Regional Council, by consent, approved the priority needs, services, additional recommendations, and funding recommendations for FY 2005-2006 to be forwarded to the Arizona Department of Economic Security. Each year, the Human Services Technical Committee (HSTC) and the Human Services Coordinating Committee (HSCC) provide local input for the allocation of approximately \$4 million in Social Services Block Grant (SSBG) funds for Maricopa County. Because the Federal allocation of funding was identical to FY 2005, the HSTC and HSCC recommended reallocating the funds in the same manner for FY 2006. The HSCC and HSTC additionally recommended that MAG receive an increase of \$73,400 for administration; that language be modified for the Persons with Developmental Disabilities Target Group to ensure consistency with federal guidelines; and that a request be made to the Department of Economic Security to include at least one representative from the MAG Human Services committees on its annual SSBG allocation panels and annual taxonomy review panels. Approval is needed to forward these recommendations to the Arizona Department of Economic Security to be written into the FY 2006 Social Services Plan. The Management Committee recommended approval.

6. MAG Arterial Life Cycle Program Interim Advancement Policy

Eric Anderson stated that the MAG Regional Transportation Plan (RTP) includes a number of arterial street and intersection improvement projects that are funded with a combination of sales tax funds and local funds as part of the Arterial Life Cycle Program. He said that because a number of cities want to advance projects, an interim advancement policy is needed to provide guidance for those RTP Arterial Street Life Cycle Program projects that are proposed for advancement in the MAG FY 2006-2010 Transportation Improvement Program that is currently being developed. Mr. Anderson stated that local jurisdictions advancing projects will fund the project costs and then be reimbursed according to the RTP phasing. He advised that the interim policy was similar in concept to the freeway acceleration policy adopted by the Regional Council in March 2000. Mr. Anderson remarked that priorities would be maintained and the advancements would not impact other projects in the program. Mr. Anderson stated that the allowance for inflation for advanced projects was brought up at the Management Committee meeting and will be discussed further. Acting Chair Manross thanked Mr. Anderson for his report.

Acting Chair Manross recognized public comment from Chuck Ullman, President of PORA in Sun City West. He indicated that he would be making a statement regarding Proposition 400 and Sun City West. Mr. Ullman stated that PORA was promised assistance with the local SCAT system if it endorsed Proposition 400. He indicated that PORA has not heard anything yet from any agency. He stated that SCAT is in financial difficulties and will cease if nothing is done. This will impact many seniors. Mr. Ullman requested that MAG investigate and assist in keeping SCAT going. Acting Chair Manross thanked Mr. Ullman for his comments and requested that staff follow up with Mr. Ullman. Mr. Smith stated that staff would follow up with RPTA staff on Mr. Ullman's request.

Acting Chair Manross recognized public comment from Mr. Crowley, who commented that no one from the County was at the table at the Transportation Policy Committee meeting and he wanted to ensure that the County was on the committee. Mr. Crowley stated that nine percent of the half cent sales tax fund was an insufficient amount for streets. Mr. Crowley stated that most of the growth will be in the unincorporated areas of the County and that is where streets will be needed. He said that in his opinion, streets were not looked at properly in the RTP. Mr. Crowley commented on the Beeline, which originally was named for his uncle Bush. He wanted to know where Fort McDowell was being taken care of. He commented on Morristown with the Wickenburg Bypass. Mr. Crowley stated that CANAMEX will be a major national roadway. Acting Chair Manross thanked Mr. Crowley for his comments.

Vice Mayor Dennis moved to accept the Arterial Life Cycle Program Interim Advancement Policy. Mayor Cavanaugh seconded, and the motion carried unanimously.

- 7A. Transit Element of the Draft FY 2006-2010 MAG Transportation Improvement Program
- 7B. Regional Arterial Life Cycle Program
- 7C. Draft Regional Freeway Program for FY 2006- 2010 and Amendment to the FY 2004-2007 MAG Transportation Improvement Program
- 7D. Recommendation of Projects for CMAQ and STP-MAG Funding in FYs 2008, 2009 and 2010 of the FY 2006-2010 MAG Transportation Improvement Program (MAG Federally Funded Program)

Mr. Anderson reported on agenda items #7A, #7B, #7C, and #7D, the four components of the Draft FY 2006-2010 MAG Transportation Improvement Program. He said that agenda item #7A is the Transit Element of the TIP and includes all capital transit elements submitted by agencies regionwide. Agenda item #7B is the Regional Arterial Life Cycle Program of the TIP, and includes a series of road widening and intersection improvement projects in the first five years of the Regional Transportation Plan. Mr. Anderson stated that agenda item #7C is the Draft Regional Freeway Program, which is included in the first phase of the Regional Transportation Plan for years FY 2006 through FY 2010. He stated that the draft program is consistent with the Regional Transportation Plan. Mr. Anderson noted that agenda item #7C also included an amendment to the FY 2004-2007 TIP for FY 2005 project changes, including the Peoria Enhancement funded project. Mr. Anderson stated that agenda item #7D includes the projects proposed for CMAQ and STP-MAG funding in the last three fiscal years--FYs 2008, 2009 and 2010--of the FY 2006-2010 TIP. He noted that the Regional Transportation Plan outlined funding percentages to modes and this is a listing of specific projects to receive that funding. Mr. Anderson said that the next steps would be a review of any changes to the programs, followed by approval of the programs for a conformity analysis, and final approval in June or July. He stated that approval is needed by the time the TIP expires December 9, 2005. Acting Chair Manross thanked Mr. Anderson for his report.

Acting Chair Manross recognized public comment from Mr. Crowley on agenda item #7A. He said that the light rails stops are being taken care of, but not the bus stops. He stated that there will be \$25 million spent on 32 light rail stops in 2007. There are plans for 55 bus stops in 2008 and 2009, He said that many bus stops are not up to standard. Standards say that if a stop has 11 daily boardings, it will get a bench; if 32 daily boardings, it will get a shelter. Mr. Crowley commented that light rail will get its stops before many bus stops get amenities. He commented on agenda item #7B. He referenced the Chandler improvement project at Ray and Rural Roads where there are two Fry's Supermarkets. Mr. Crowley stated that he was told there were two stores at the same intersection because of taxes. He stated that better cooperation is needed and he thought the intersection was running quite well. Mr. Crowley commented that when the State of Florida does upgrades, pedestrian and bicycle projects are accommodated first. He said that the only agency doing this in the MAG Region is the County. Acting Chair Manross thanked Mr. Crowley for his comments.

Acting Chair Manross recognized public comment from Ms. Barker, who expressed her agreement that MAG's minutes are the best in town. On agenda items would like to see a barometer in the community. Ms. Barker expressed thanks for the accuracy of comments in the public input sections in the summary transmittals. She reported on comments made at the Management Committee. On agenda item #7A, she indicated that comments were made that 60 percent of bus stops in the region are below industry standard and that the I-10 tunnel, needs to be built before new ones are started. Ms. Barker said that she had heard RPTA will have the tunnel on their next agenda. She urged more coordination for bicycle and pedestrian along Grand Avenue and added that having limited stops for transit was positive. Ms. Barker stated that \$134 million has been spent on the light rail project and no rail has yet been laid. Ms. Barker stated that fixed rail projects are all locally funded, with federal reimbursement later. Acting Chair Manross thanked Ms. Barker for her comments

Vice Mayor Walters moved approval for the purpose of public review and comment, agenda items #7A, projects to be included in the transit element of the Draft FY 2006-2010 MAG Transportation Improvement Program (TIP); #7B, the FY 2006-2010 Regional Arterial Life Cycle Program; #7C, the



Draft Regional Freeway Program for FY 2006-2010 for incorporation into the Draft Transportation Improvement Program (TIP); and #7D the projects for CMAQ and STP-MAG discretionary funding in FYs 2008, 2009 and 2010 and to include those projects in the Draft FY 2006-2010 MAG Transportation Improvement Program. Mayor Drake seconded, and the motion carried, with Mayor Shafer voting no.

Vice Mayor Walters moved to approve the FY 2005 project changes and amendment to the FY 2004-2007 MAG TIP, including the Peoria Enhancement funded project, in agenda item #7C. Mayor Feldman-Kerr seconded, and the motion carried, with Mayor Shafer voting no.

8. Third Annual Walk to End Domestic Violence Municipal Challenge

Amy St. Peter stated that the Third Annual Walk to End Domestic Violence will be held on Saturday April 23, beginning at 7:00am at Wesley Bolin Plaza. Ms. St. Peter stated that many lives are harmed by domestic violence and many lives are saved by what we do as a community. She said that City of Phoenix Councilmember Peggy Bilsten is issuing a challenge to all members of the MAG Regional Council to form teams and participate in the Walk. In addition to the City of Phoenix, the City of Mesa have organized a team. Ms. St. Peter stated that the Walk will be a fun, family-friendly, team-building event and it will raise a lot of money for domestic violence services in the MAG region. She indicated that informational packets on the Walk were at each place. Acting Chair Manross thanked Ms. St. Peter for her presentation.

9. Revision of the MAG Regional Solid Waste Management Plan

Bruce Henning, Director of Public Works for Phoenix and Chair of the MAG Solid Waste Advisory Committee, reported on the Revision of the MAG Regional Solid Waste Management Plan. He said that a major revision of the Plan was initiated in January 2003. Mr. Henning stated that Plan, which had not been updated since 1993, was revised to provide guidance for systems level regional solid waste management planning, to address changes in regional solid waste facilities, plans and goals, and to identify needs for a 20-year planning horizon. He stated that the Plan includes eleven landfills, twenty-one transfer stations and combined materials recovery/transfer facilities, and seven materials recovery facilities in the MAG region. Mr. Henning noted that household hazardous waste collection programs have increased from one annual event to 15. He indicated that there is adequate landfill capacity for the next 20 years, and perhaps more transfer stations might be needed. Mr. Henning stated that the goals of the Plan are to prevent adverse effects on public health and the environment from improper disposal, processing and collection of solid waste; have a primary practice for landfills with an emphasis on waste reduction and recycling; development of recycling targets, though not mandatory, by local agencies. Mr. Henning advised that the Solid Waste Management Plan is a guideline, not a mandatory document. He said that all member agencies were provided opportunities to provide input on their preferences. Mr. Henning stated that this input was incorporated into the Plan that was developed by the Solid Waste Advisory Committee. He stated that a public hearing on the Plan took place on January 25, 2005, after which the Solid Waste Advisory Committee recommended adoption to the Management Committee. Mr. Henning stated that the Management Committee subsequently recommended adoption. Mr. Henning acknowledged the assistance of MAG staff member, Brenda Day, who worked on the report. Acting Chair Manross thanked Mr. Henning for his report.

Mr. Crowley stated that he had submitted a public comment card. Acting Chair Manross informed Mr. Crowley she did not have a card for him to speak on this item, but would allow him a comment period. Mr. Crowley commented that recycling has increased from three communities to less than 50 percent of MAG communities. He noted that there was no public comment reported in the summary transmittal, so where was the proactive outreach? Mr. Crowley stated that much more can be done with recycling. He said that he did not see where citizens are being taught to recycle, he was only hearing back slapping. Mr. Crowley stated that when cities have been at this for 11 years and only 50 percent recycle, that is a failure. Acting Chair Manross thanked Mr. Crowley for his comments.

Mayor Alvarez moved to adopt the Revision of the MAG Regional Solid Waste Management Plan. Mayor Shafer seconded, and the motion carried unanimously.

10. Discussion of the Development of the FY 2006 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough reported on the FY 2006 MAG Unified Planning Work Program and Annual Budget. She noted that the FY 2006 process has begun and this is an early overview of the proposed new projects for the FY 2006 Work Program and draft Dues and Assessments. She also noted that the draft timeline has been updated to reflect changes in the production of the budget. Ms. Kimbrough noted that a budget workshop for member agencies was held February 18, 2005. Ms. Kimbrough also noted that the Intermodal Planning Group (IPG) meeting with Federal Highway Administration, Federal Transit Administration, and Arizona Department of Transportation has been scheduled for April 6, 2005. She added that the draft budget will be sent to these agencies in early March.

Ms. Kimbrough reviewed Attachment Two, the estimated Dues and Assessments using a \$350 minimum member fee. She noted that the proposed minimum would affect two agencies--Gila Bend and Fort McDowell Yavapai Nation. Ms. Kimbrough stated that the solid waste assessment will decrease from \$34,000 to \$10,000 because the update to the Regional Solid Waste Plan has been completed.

Ms. Kimbrough then reviewed Attachment Three, FY 2006 Revenue/Expenses Sources and Uses. She advised that two projects will impact the budget this year--the Census Survey and the implementation of the Regional Transportation Plan.

Ms. Kimbrough moved to Attachment Four, which showed proposed new projects and their narratives and proposed new FTEs. She indicated that there are 12 new projects this year, shown in Attachment Five. Ms. Kimbrough noted a request for additional FTEs as a result of the passage of Proposition 400. She said that a staff position to oversee the implementation of the MAG Life Cycle Program for Arterial Streets was contingent on the passage of Proposition 400 and was included in the FY 2005 budget. Ms. Kimbrough stated that this staff position is currently being filled. Ms. Kimbrough stated that positions were needed to meet the transportation modeling workload. A vacant transportation planning position was converted to a Systems Modeling Engineer and was recently filled. She said that two positions, an additional Systems Modeling Engineer and a Transportation Engineer II, were discussed with the Regional Council Executive Committee and are being recruited. Ms. Kimbrough stated that three positions are being requested for FY 2006. She advised that with the passage of Proposition 400, a Senior Performance Monitoring Engineer was needed to assist in collecting and analyzing information

relating to performance measurement of the Regional Transportation Plan. The second position is needed for a Database Administrator to maintain the many complex socioeconomic, transportation and air quality modeling databases. The third position is for an ITS Safety Engineer II. Ms. Kimbrough explained that this position is requested as a result of transportation safety being an emphasis area that is receiving increased attention at the federal level. She added that during MAG's certification review in 2004, the federal reviewers indicated that MAG place increased focus in this area. Acting Chair Manross thanked Ms. Kimbrough for her presentation and acknowledged the timely review of the budget.

Acting Chair Manross asked about the process for discussion of the 12 new projects. Ms. Kimbrough replied that the program managers could provide detailed information on new projects. In addition, the new projects will also be discussed every month.

Mr. Crowley stated that he had submitted a request to speak on this agenda item. Acting Chair Manross informed Mr. Crowley that she did not have a card submitted for this item. She said that she had allowed him a comment period already on an item for which he had not turned in a card, and she was denying this request.

#### 11. 2005 Census Survey Update

Heidi Pahl updated members on the upcoming 2005 Census Survey. She said the Census Bureau recently informed MAG that since the original cost estimate, they have had increases in salaries and mileage for census workers that will be hired to work on the 2005 Census Survey, and have identified many more census blocks required for the samples. The additional cost identified by the Census Bureau could be between \$800,000 and \$1.7 million. Ms. Pahl said that after more meetings with census staff members, MAG staff learned that a cost increase may be avoided. She noted that if additional cost is incurred, the Federal Highway Administration agreed to allow MAG to use federal funds to pay half of the increase.

Ms. Pahl reported that in discussions with the Census Bureau to reduce costs, they agreed, for the very first time, to accept local data for their address file. She said that if member agencies partner with MAG to identify new blocks and annexations and provide address lists to the Bureau there may be little or no cost increase. Ms. Pahl added that any work that member agencies and MAG do will reduce costs because it will reduce the amount of time census workers are in the field. In addition, if MAG acts as a conduit for the collection of the Boundary and Annexation Surveys from the member agencies, this may expedite the work that the Census Bureau staff will be doing for the Census Survey.

Ms. Pahl said that in order to implement the measures that will reduce the costs member agencies need to partner with MAG. She added that a GIS contact from each member agency should be identified to work with MAG to supply address lists and maps to the Bureau in a timely fashion. If this is recognized as a high priority we can be effective in reducing the cost increase from the Census Bureau.

Ms. Pahl stated that the City of Phoenix donated space for the Local Census Office. She said that setup and maintenance costs for the Local Census Office could be \$200,000 to \$250,000. Ms. Pahl thanked the Phoenix staff for their assistance with setting up the office and thanked Peoria for the donation of

a fax machine. Ms. Pahl stated that the 2005 National Census Test will be conducted in September 2005. She explained that the 2005 National Census Test is a survey of a test questionnaire for the 2010 Census and will be conducted in a similar manner and at the same time as the MAG 2005 Census Survey and could impact the MAG Survey. She said that member agencies are submitting letters to the Census Bureau requesting that they exempt Maricopa County from the 2005 National Census Test.

Ms. Pahl stated that the Census Bureau has begun recruiting and hiring workers for the Survey. She said that workers must be 18 years of age and pay will start at \$11.50 per hour. The recruitment phone number is (602) 256-3225. Although the Census Bureau has run press releases and ads in the local media, member agencies have been asked to assist in publicizing the recruitment of census workers. Acting Chair Manross thanked Ms. Pahl for her report. No questions from the Council were noted.

## 12. Legislative Update

Tom Remes provide an update on legislative issues of interest. He noted that an updated summary was at each place and staff was requesting input and direction.

Mr. Remes then moved on to pending Arizona legislation of interest to member agencies. He said that support is urged for HB 2123, Highway Expansion and Extension Loans, which reinstates a \$200 million cap on annual funding obligations incurred by the Transportation Board as part of its highway construction acceleration program for fiscal years between 2005-2006 and 2019-2020. This piece of legislation extends the authority of the Transportation Board to issue Board Fund Obligations.

Mr. Remes stated that opposition is urged for HB 2292 as it is currently written. He said that the bill breaks the firewalls mandated by last year's HB 2456 by diverting light rail money to freeway projects if light rail fails to meet the performance audit standards. Mr. Remes indicated that staff have met with Representative Biggs and Senator Verschoor about this and understand that House staff is making some changes.

Mr. Remes stated that HB 2293 affects Pima County. He explained that the bill says that once a 20-year Regional Transportation Plan has been adopted by a regional transportation authority, a copy must be submitted to the Legislature which must authorize by concurrent resolution that the county board of supervisors call an election to approve a dedicated transportation sales tax.

Mr. Remes reported the failure of HB 2538, in which a business owner who lost business because of public construction could recover damages as compensation for the loss.

Mr. Remes stated that opposition is urged for SB 1322, which adds CTOC to the notification list for modifications proposed to the Regional Transportation Plan. He explained that the bill is not inherently harmful, but it changes what was agreed upon last year in HB 2456. Mr. Remes stated that he understood that it is a vehicle bill and that other language may be inserted.

Mr. Remes reported the failure of SB 1504, in which a regional transportation plan would need to be approved by a three-quarters majority of the governing bodies of each city and town within the plan and,

if funded through an excise tax, by a vote of the people. He said that the individual transportation modes would also be voted on separately.

Mr. Remes stated that opposition is urged for HB 2326, which repeals the in lieu fee for the vehicle emissions testing program and air quality programs funded by the in lieu fee. He noted that this would affect funding for such programs as the Regional Rideshare Program. Mr. Remes also noted that the bill has been withdrawn from two committees. Mr. Smith stated that passage of the bill would affect the mandated trip reduction program, which is a required control measure for air quality.

Mr. Remes stated that SB 1341 is being monitored. He said that the bill expands the requirements that DEQ establish policy statements on air quality “exceptional events” to allow DEQ to establish rules for same and to require that the statements or rules include provisions exempting “naturally occurring dust events that include precipitation” from the standards for measurable exceedances for particulate monitoring. Mr. Remes indicated that this bill is being held at the moment.

Mayor Cavanaugh asked about the monitoring of SB 1115. Mr. Remes responded that SB 1115 was being monitored at the request of a member agency so its progression could be tracked. Mayor Cavanaugh stated that he was surprised that SB 1115 was not being opposed. Mr. Smith replied that the bill is more municipal in nature, so it seemed more appropriate for cities to work through the League. He added that cities work through MAG on bills that are more transportation and environmental in nature. Mr. Smith added that MAG would follow the direction of the Regional Council if directed to take a position.

Acting Chair Manross stated that she strongly opposed the two bills, SB 1115 SB 1229/HB 2563, on the list that are currently being monitored. Mayor Berman stated his agreement with Mayor Manross. He said that he thought the Legislature needs to hear opposition from as many sources as possible that this is unacceptable. Mayor Berman stated that the State needs to get back to running the State and leave the cities alone. He added that this is not their money to take away.

Supervisor Stapley stated that the Arizona Association of Counties and the County Supervisors Association are opposing both bills. He remarked that he did not see a reason why cities could not officially oppose the bills.

Mayor Feldman-Kerr commented that MAG might show opposition by supporting the League in its efforts. Mr. Smith stated that the Legislature needs to hear a uniform voice through the League. He added that hearing from more than one agency would be helpful.

Mayor Dunn moved to officially oppose SB 1115 and SB1229/HB2563. Vice Mayor Walters seconded, and the motion carried unanimously.

Acting Chair Manross recognized public comment from Mr. Crowley, who asked how the other positions were decided. He said this was the first time he had seen this. Mr. Crowley stated that he did not see CTOC having an expanded role in Proposition 400. He said that he had commented at the February TPC meeting that there would be a conflict with one of the committee members because of a bid-rigging problem. Acting Chair Manross thanked Mr. Crowley for his comments.

Acting Chair Manross noted that HB 2292 was going to be heard tomorrow and indicated that action on opposition was needed. Vice Mayor Walters moved to oppose HB 2292. Mayor Feldman-Kerr seconded, and the motion carried unanimously.

13. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mayor Shafer explained her no vote on agenda items #7A, #7B, #7C, and #7D. She stated that she worked hard in her community on the passage of Proposition 400. She was told that they would get a portion for Grand Avenue improvements where Loop 101 stops and Loop 303 begins. Mayor Shafer stated that Surprise received nothing but a bus. For eight years she tried to get a sign to her city on I-10 and Loop 303 and cannot get them. Mayor Shafer commented that accidents take place regularly on Loop 303 from I-10 to Bell Road and these improvements are in Phase II. When she saw other freeways and roads going in, she decided to make a statement. Mayor Shafer stated that it is not that she does not want other communities to receive anything, just would like to have a little of the improvements.

Mayor Feldman-Kerr announced an event at the Performing Arts Center in Queen Creek on April 30. She invited all to attend this fund raiser for the Performing Arts Center and the new Boys and Girls Club.

Mayor Nichols announced that a fair was taking place in Fountain Hills on February 25, 26, and 27. He invited all to attend.

There being no further business, Mayor Nichols moved to adjourn the meeting. Mayor Shafer seconded, and the meeting adjourned at 6:20 p.m.

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Chair

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Secretary